



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: ENF-L

VIA REGULAR AND EMAIL

September 22, 2009

Mayor Doug Roll
City of Libby
P.O. Box 1428
Libby, Montana 59923

Re: Libby Asbestos Superfund Site
Former Export Plant – Operable Unit 1,
Structures and Other Improvements

Dear Mayor Roll:

Earlier this month, in a letter dated September 3, 2009, Rebecca Thomas provided you with the Environmental Protection Agency's position concerning structures and other improvements at the former Export Plant property. Ms. Thomas stated that EPA intends to do nothing else to replace or restore the structures at the property. The structures were demolished because they were in poor condition, did not meet current building code requirements, and couldn't be decontaminated. In exchange for the value of the buildings and at no cost to the City, W.R. Grace built a water main to the property that meets all code requirements. W.R. Grace also temporarily relocated Mill Work West, which decided not to move back to the property. Finally, EPA intends to complete soil cleanup at the property in the very near future. Subsequent to the September 3rd letter, Councilman Orr requested a copy of a draft restoration plan that had been submitted by W.R. Grace in April, 2001. Ms. Thomas provided that draft document to you and Councilman Orr on September 11th.

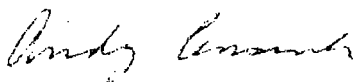
To facilitate any further requests for documents such as that submitted by Councilman Orr on September 14th, I am enclosing a searchable index of the documents in the Environmental Protection Agency's site file concerning the Libby cleanup. Any future requests for documents may be made either through me or directly to our Records Center. If you choose to contact the Records Center directly, please call Ricky Archuleta at (303)-312-6363, or email him at archuleta.rickyj@epa.gov.

In his email message of September 14, 2009, Councilman Orr suggests that the City and EPA are in negotiations concerning structures and other improvements at the Export Plant

property. To be clear, we are not in negotiations. The City already has EPA's position on the matter and, in the absence of any new information, we consider this matter closed.

To reiterate what Ms. Thomas stated in her September 3rd letter, if the City Council believes that there are unresolved issues concerning disposition of the structures and other improvements on the former Export Plant property, please let us know about that. Please send any materials directly to me or contact me if you want to discuss this further. My email address is lensink.andy@epa.gov and my phone number is 303-312-6908.

Sincerely,



Andrew J. Lensink
Sr. Enforcement Attorney

Enclosure

cc: w/o enclosure
City Council of Libby
Victor Ketellapper, EPR-SR
Rebecca Thomas, EPR
R. Allan Payne, Esq.

